IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

WEDNESDAY, THE 7TH NOVEMBER 2007 / 16TH KARTHIKA 1929

RPFC.No. 4 of 2003()

MC.345/2001 of FAMILY COURT KOZHIKODE
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REVISION PETITIONER/RESPONDENT

SASHANKAN S/O. BALAN, KUYYALIL MEETHAL HOUSE, THIRUVALLUR AMSOM DESOM, VADAKARA TALUK, PONMERI P.O.

BY ADV. SRI.M.K.CHANDRA MOHANDAS

RESPONDENTS: PETITIONERS
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1. **SHYLAJA D/O. KANARAN, KANIHITATTU THARA LAKSHAM VEEDU, PARAVARKANDY HOUSE, THIRUVALLUR AMSOM DESOM, PONMERI.P.O., VADAKARA TALUK.**

2. **SHYAMLAL (MINOR) REPRESENTED BY HIS GUARDIAN MOTHER SHYLAJA, D/O. KANARAN, KANIHITATTU THJARA LAKSHAM VEEDU, PARAVARKANDY HOUSE, THIRUVALLUR AMSOM DESOM, PONMERI P.O., VADAKARA TALUK.**

BY ADV. SRI.MOHANAN V.T.K.
BY PUBLIC PROSECUTOR SRI.AMJAD ALI

THIS REV.PETITION(FAMILY COURT) HAVING BEEN FINALLY HEARD ON 07/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

CRL.RP(FC) 4/2003

ORDER ON CRL.MP. NO.560/2003 IN CRL.RP(FC) 4/2003

DISMISSED

07.11.2007 **SD/- K.R.UDAYABHANU, JUDGE**

/TRUE COPY/

P.S. TO JUDGE

tss

K.R. UDAYABHANU, J.

R.P.(FC).NO. 4 OF 2003

DATED THIS THE 7TH DAY OF NOVEMBER 2007

ORDER

The revision petitioner is the respondent/husband in M.C.No.345/2001, the petition filed under Section 125 Cr.P.C. seeking maintenance by the first respondent for herself and on behalf of the 2nd respondent minor child. The court below ordered maintenance at the rate of Rs.500/- each per mensum from the date of the petition.

2. The marriage as well as the paternity of the child was disputed. At the time of hearing counsel on both sides agreed for getting the DNA test conducted in order to ascertain the paternity of the child. In the circumstances, the matter is remitted back to the court below in order to facilitate the conducting of the DNA test. The court below shall dispose of the entire matter on merits after considering the result of the DNA test as well. Till the mater is decided by the court below, the petitioner/husband shall pay maintenance to the petitioners in the M.C.as ordered by the court below. The matter would stand

posted before the court below on 3-12-2007. The appellant shall bear the expenses for the DNA test. The revision petition is disposed of accordingly.

K.R.UDAYABHANU, JUDGE

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K.R.UDAYABHANU, J

R.P.(FC)NO. 4 OF 2003

ORDER

7-11-2007

K.R.UDAYABHANU, J

CRL.R.P. NO. 691 OF 2001
& CRL.M.C.NO. 7139 OF 2001

ORDER

13-9-2007